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DATE: **May 19, 2004**

JOB CODE:

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Please deliver this and the following pages to:

Examiner: **Randall O. Winston**

U.S.P.T.O. Group Art Unit: **1654**

Telecopier No.: **(571) 273-0972**

U.S. Serial No.: **09/989,092**

Client/Matter No.: **BIOD-0026**

Sender's Name: **Tara L. Rachinsky**

Pages to Follow: **12**

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COVER MESSAGE:

Unofficial facsimile. For discussion purposes. Please deliver to examiner immediately.

Attached hereto are the following documents:

- 1) Transmittal Letter (w/Certificate of Facsimile Transmission)
- 2) Supplemental Amendment (w/Certificate of Facsimile Transmission)

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DOCKET NO.: BIOD-0026

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Jeffrey L. Garwin

Confirmation No.: 9289

Application No.: 09/989,092

Group Art Unit: 1654

Filing Date: November 19, 2001

Examiner: **Randall O. Winston**

For: **Compositions And Methods For Detecting Pre-Cancerous Conditions In Cell And Tissue Samples Using 5, 10, 15, 20-Tetrakis (Carboxyphenyl) Porphine**

CERTIFICATE OF FACSIMILE TRANSMISSION

DATE May 19, 2004

I HEREBY CERTIFY THAT THIS PAPER IS BEING
FACSIMILE TRANSMITTED TO THE PATENT AND
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0972 ON THE DATE LISTED ABOVE.



Tara L. Rachnasky REG NO. 47,875

☒ MS Amendment ☐ MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY TRANSMITTAL LETTER

- ☐ A Preliminary Amendment.
- ☐ An Amendment Responsive to the Office Action Dated .
- ☐ An Amendment Supplemental to the Paper filed .
- ☐ A Substitute Specification (pages 1 -) in clean form.
- ☐ A substitute specification (pages 1 -) with markings.
- ☐ An Abstract is enclosed.
- ☐ replacement sheets of drawings are enclosed comprising figures

DOCKET NO.: BIOD-0026

PATENT

- ☐ Request is hereby made to accept black and white photograph(s) in this case, as they are the only practicable medium for illustrating the claimed invention. One (1) set of black and white photographs comprising figure(s) is submitted herewith.
- ☐ Petition is hereby made to accept drawing(s)/photograph(s) in this case.
- ☐ Three (3) sets of color drawing(s)/photograph(s) and black and white photocopy that accurately depicts to the extent possible, the subject matter shown in the color drawing(s)/photograph(s), are enclosed, comprising figures
- ☐ An amendment to the first paragraph in that portion of the Brief Description of the Drawings is also enclosed herewith advising that the patent contains at least one drawing/photograph in color.
- ☐ A Certified Copy of each of the following applications: is enclosed.
- ☐ An Associate Power of Attorney is enclosed.
- ☐ Information Disclosure Statement.
- ☐ Attached Form 1449.
- ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☐ A Terminal Disclaimer is attached.
- ☐ Appendices as follows:
- ☒ Other: Supplemental Amendment.
- ☒ No Additional Fee is Due.
- ☒ Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the U.S. Patent and Trademark Office.

DOCKET NO.: BIOD-0026

PATENT

	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	SMALL ENTITY		NOT SMALL ENTITY	
				RATE	FEE	RATE	FEE
TOTAL CLAIMS	33	48	0	\$9 EACH	\$0.00	\$18 EACH	\$
INDEP. CLAIMS	2	8	0	\$43 EACH	\$0.00	\$86 EACH	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$145	\$0.00	\$290	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$0.00	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$210	\$0.00	\$420	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$475	\$0.00	\$950	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$740	\$0.00	\$1480	\$
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<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$0.00)	minus	(\$)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$0.00	\$110	\$
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:					0.00		
TOTAL FEE DUE					\$0.00		\$

- ☐ A check in the amount of \$.00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account 23-3050.
- ☐ Please charge Deposit Account No. 23-3050 in the amount of .00. This sheet is attached in duplicate.
- ☐ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4)) to extend the time for response to the Office Action of _____ to and through _____ comprising an extension of the shortened statutory period of _____ month(s).

DOCKET NO.: BIOD-0026
Application No.: 09/989,092

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jeffrey L. Garwin

Confirmation No.: 9289

Application No.: 09/989,092

Group Art Unit: 1654

Filing Date: 11/19/2001

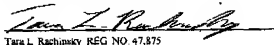
Examiner: **Winston, Randall O.**

For: **COMPOSITIONS AND METHODS FOR DETECTING PRE-CANCEROUS
CONDITIONS IN CELL AND TISSUE SAMPLES USING 5, 10, 15, 20-
TETRAKIS (CARBOXYPHENYL) PORPHINE**

CERTIFICATE OF FACSIMILE TRANSMISSION

DATE: May 19, 2004

I HEREBY CERTIFY THAT THIS PAPER IS BEING
FACSIMILE TRANSMITTED TO THE PATENT AND
TRADEMARK OFFICE TO FACSIMILE NUMBER 571-273-
0972 ON THE DATE LISTED ABOVE



Tara L. Rachunsky REG NO. 47,875

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL AMENDMENT

Please amend the above-captioned patent application as follows:

- ☐ Amendments to the Specification begin on page _____ of this paper.
- ☒ Amendments to the Claims are reflected in the listing of the claims which
begins on page 3 of this paper.
- ☐ Amendments to the Drawings begin on page _____ of this paper and include an
attached replacement sheet.

Page 1 of 8

DOCKET NO.: BIOD-0026
Application No.: 09/989,092

PATENT



Remarks begin on page 8 of this paper.